

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Shekeira Williams, et al.,

Plaintiffs,

v.

Luis S. Spencer, et al.,

Defendants.

FILED
CLERK OF COURT
2013 DEC 18 PM 4:08
No. 13-10083-FDS
DISTRICT OF MASS.

PLAINTIFFS' MOTION TO STRIKE DEFENDANTS' MOTION
TO DISMISS OR IN THE ALTERNATIVE, FOR SUMMARY
JUDGMENT

Now comes the Plaintiffs in the above civil matter moves, pursuant to Fed. R. Civ. P. 12(f), to strike the defendants' Motion to Dismiss, or in the Alternative, for Summary Judgment. In support of this motion, the Plaintiffs states:

1. The motion is premature whereas the Plaintiffs have not yet to receive the full discovery sought from the defendants by them. Since the last conference with the court, the defendants was supposed to turn over to the Plaintiffs any requested discovery. The Plaintiffs have filed for discovery and have not received the discovery already requested from the defendants.

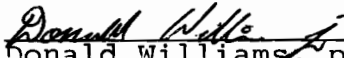
2. Also, the Plaintiffs have submitted three additional discovery requests to the defendants, and cannot effectively respond to any summary judgment without the requested discover. The defendants' motion should be stricken because

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the plaintiffs cannot prosecute this litigation effectively without any discovery. It would be unfair to the plaintiffs if they are not permitted discovery in this matter.

Wherefore, the plaintiffs prays that this motion is granted and the defendants' Motion For Summary Judgment, and/or Motion to Dismiss is stricken.

Respectfully Submitted,



Donald Williams, pro se
SBCC
P.O. Box 8000
Shirley, Ma. 01464

Dated:

12.14.2013

CERTIFICATE OF SERVICE

, I Donald Williams, certify that I caused a copy to be served upon C. Raye Poole, Esq., Department of Correction, Legal Division, 70 Franklin Street, Suite 600, Boston, Ma. 02110-1327, by first class mail, postage prepaid.


Donald Williams, pro se

Dated:

12.14.2013

Mr. Donald Williams
SBCC
1 Harvard Road
P.O. Box 8000
Shirley, Ma. 01464

Sarah A. Thornton, Clerk
United States District Court
1 Courthouse Way, Suite 2300
Boston, Ma. 02210

Dated:

12.14.2013

Re: Williams, et al. v. Spencer, et al.,
No. 13-cv-10083-FDS

Dear Ms. Thornton:

Enclosed for filing please find the "Plaintiffs' Motion To Strike," with an affixed certificate of service.

Thank you for your attention to this matter.

Very truly yours,


Donald Williams, pro se

Enclosures

cc: C. Raye Poole, Esq.
Shekeira Williams, pro se